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PLENARY MEETING

Friday, 3 December 1993
at 10 a.m.

NEW YORK

President: Mr. INSANALLY
(Guyana)

The meeting was called to order at 10.55 a.m.

AGENDA ITEM 17

APPOINTMENTS TO FILL VACANCIES IN SUBSIDIARY ORGANS AND OTHER APPOINTMENTS

(a) APPOINTMENT OF MEMBERS OF THE ADVISORY COMMITTEE ON ADMINISTRATIVE AND BUDGETARY QUESTIONS: REPORT OF THE FIFTH COMMITTEE (A/48/692)

(b) APPOINTMENT OF MEMBERS OF THE COMMITTEE ON CONTRIBUTIONS: REPORT OF THE FIFTH COMMITTEE (A/48/693)

(c) APPOINTMENT OF A MEMBER OF THE BOARD OF AUDITORS: REPORT OF THE FIFTH COMMITTEE (A/48/694)

(d) CONFIRMATION OF THE APPOINTMENT OF MEMBERS OF THE INVESTMENTS COMMITTEE: REPORT OF THE FIFTH COMMITTEE (A/48/695)

(e) APPOINTMENT OF MEMBERS OF THE UNITED NATIONS ADMINISTRATIVE TRIBUNAL: REPORT OF THE FIFTH COMMITTEE (A/48/696)

The PRESIDENT: I request the Rapporteur of the Fifth Committee, Mr. Mahbub Kabir of Bangladesh, to introduce the reports of the Fifth Committee in a single intervention.

Mr. KABIR (Bangladesh), Rapporteur of the Fifth Committee: I have the honour to present to the General Assembly the reports of the Fifth Committee on agenda item 17, which is entitled "Appointments to fill vacancies in subsidiary organs and other appointments".

The Fifth Committee's report on sub-item (a) - Appointment of members of the Advisory Committee on Administrative and Budgetary Questions - is contained in document A/48/692. The Committee considered this item at its 17th meeting, which was held on 15 November 1993. As is stated in paragraph 8 of its report, the Fifth Committee recommends to the General Assembly the appointment of the following persons as members of the Advisory Committee on Administrative and Budgetary Questions for a three-year term of office beginning on 1 January 1994: Mr. Leonid E. Bidny of the Russian Federation, Mr. Simon Khoam Chuinkam of Cameroon, Mrs. Inga Eriksson Fogh of Sweden, Mr. Even Fontaine-Ortiz of Cuba and Ms. Linda S. Shenwick of the United States of America.

The Fifth Committee's report on sub-item (b) - Appointment of members of the Committee on Contributions - is contained in document A/48/693. The Committee considered this item at its 17th meeting, which was held on 15 November 1993. As is stated in paragraph 6 of its report, the Fifth Committee recommends to the General Assembly the appointment of the following persons as members of the Committee on Contributions for a three-year term of office beginning on 1 January 1994: Mr. Yuri A. Chulkov of the Russian Federation,

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Mr. Alvaro Gurgel de Alencar of Brazil, Mr. Li Yong of China, Mr. Ugo Sessi of Italy, Mr. Agha Shahi of Pakistan and Mr. Adrien Teirlinck of Belgium. The Fifth Committee recommends also the appointment of Mr. Neil Hewitt Francis of Australia as a member of the Committee on Contributions for a two-year term of office beginning on 1 January 1994.

The Fifth Committee's report on sub-item (c) - Appointment of a member of the Board of Auditors - is contained in document A/48/694. The Committee considered this item at its 17th meeting, which was held on 15 November 1993. As is stated in paragraph 4 of its report, the Fifth Committee recommends to the General Assembly the appointment of the Auditor-General of Ghana as a member of the United Nations Board of Auditors for a three-year term of office beginning on 1 July 1994.

The report of the Fifth Committee on agenda item 17 (d), "Confirmation of the appointment of members of the Investments Committee", is contained in document A/48/695. The Committee considered the item at its 17th meeting, held on 15 November 1993. In paragraph 4 of that report, the Fifth Committee recommended that the General Assembly should confirm the appointment by the Secretary-General of the following persons as members of the Investments Committee for a three-year term of office beginning on 1 January 1994: Ms. Francine J. Bovich of the United States of America, Mr. Jean Guyot of France and Mr. Michiya Matsukawa of Japan.

The report of the Fifth Committee on agenda item 17 (e), "Appointment of members of the United Nations Administrative Tribunal", is contained in document A/48/696. The Committee considered this item at its 17th meeting, held on 15 November 1993. As stated in paragraph 8 of the report, the Fifth Committee recommends to the General Assembly the appointment of the following persons as members of the United Nations Administrative Tribunal for a three-year term of office beginning on 1 January 1994: Mr. Mayer Gabay of Israel and Mr. Luis M. de Posadas Montero of Uruguay.

The PRESIDENT: The Assembly will now consider those reports of the Fifth Committee.

I first invite members to turn their attention to the report of the Fifth Committee on agenda item 17 (a), entitled "Appointment of members of the Advisory Committee on Administrative and Budgetary Questions" (A/48/692). The Fifth Committee recommends, in paragraph 8 of that report, that the General Assembly should appoint the following persons as members of the Advisory Committee on Administrative and Budgetary Questions for a three-year term of office beginning on 1 January 1994: Mr. Leonid E. Bidny, Mr. Simon Khoam Chuinkam, Mrs. Inga Eriksson Fogh, Mr. Even Fontaine-Ortiz, and Ms. Linda S. Shenwick.

May I take it that the Assembly appoints those persons?

It was so decided.

The PRESIDENT: We turn now to the report of the Fifth Committee on agenda item 17 (b), entitled "Appointment of members of the Committee on Contributions" (A/48/693). In paragraph 6 of that report, the Fifth Committee recommends that the General Assembly should appoint the following persons as members of the Committee on Contributions for a three-year term of office beginning on 1 January 1994: Mr. Yuri A. Chulkov, Mr. Alvaro Gurgel de Alencar, Mr. Li Yong, Mr. Ugo Sessi, Mr. Agha Shahi and Mr. Adrien Teirlinck.

May I take it that it is the wish of the Assembly to appoint the persons recommended by the Fifth Committee?

It was so decided.

The PRESIDENT: In the same paragraph, the Fifth Committee recommends that the General Assembly should appoint Mr. Neil Hewitt Francis as a member of the Committee on Contributions for a two-year term of office beginning on 1 January 1994.

May I take it that the Assembly wishes to appoint that person?

It was so decided.

The PRESIDENT: I now invite members to turn their attention to the report of the Fifth Committee on agenda item 17 (c), entitled "Appointment of a member of the Board of Auditors" (A/48/694). In paragraph 4 of that report, the Fifth Committee recommends that the Assembly should appoint the Auditor-General of Ghana as a member of the United Nations Board of Auditors for a three-year term of office beginning on 1 July 1994.

May I take it that the Assembly approves that appointment?

It was so decided.

The PRESIDENT: I next invite members to turn their attention to the report of the Fifth Committee on agenda item 17 (d), entitled "Confirmation of the appointment of members of the Investments Committee"

(A/48/695). The Fifth Committee recommends, in paragraph 4 of that report, that the Assembly should confirm the appointment by the Secretary-General of the following persons as members of the Investments Committee for a three-year term of office beginning on 1 January 1994: Ms. Francine J. Bovich, Mr. Jean Guyot and Mr. Michiya Matsukawa.

May I take it that it is the wish of the Assembly to confirm the appointment of those persons?

It was so decided.

The PRESIDENT: We come finally to the report of the Fifth Committee dealing with the appointment of members of the United Nations Administrative Tribunal, under agenda item 17 (e) (A/48/696). In paragraph 8 of that report the Fifth Committee recommends that the Assembly should appoint the following persons as members of the United Nations Administrative Tribunal for a three-year term of office beginning on 1 January 1994: Mr. Mayer Gabay and Mr. Luis M. de Posadas Montero.

May I consider that the Assembly decides to appoint those persons?

It was so decided.

The PRESIDENT: May I take it now that it is the wish of the General Assembly to conclude its consideration of agenda items 17 (a), (b), (c), (d) and (e)?

It was so decided.

AGENDA ITEM 31

THE SITUATION OF DEMOCRACY AND HUMAN RIGHTS IN HAITI

(a) NOTE BY THE SECRETARY-GENERAL (A/48/532 and Add.1 and 2)

(b) DRAFT RESOLUTION (A/48/L.35)

The PRESIDENT: I call upon the representative of Ecuador, who will introduce draft resolution A/48/L.35.

Mr. PONCE (Ecuador) *(interpretation from Spanish):* It is my honour on behalf of all States members of the Group of Latin American and Caribbean States which have joined in sponsoring the draft resolution A/48/L.35 to introduce that draft resolution on agenda item 31, entitled "The situation of democracy and human rights in Haiti".

In 1990, the General Assembly adopted resolution 45/2, in which it authorized United Nations cooperation in organizing the electoral process in Haiti which led to the democratic election of President Jean-Bertrand Aristide. The international community's united support for the Haitian people has continued ever since. Faced with the breach of constitutional order and the subsequent violations of human rights and fundamental freedoms, the Assembly has maintained an unswerving position in support of the legitimate authorities in Haiti and in support of the fundamental rights of the Haitian people.

Resolutions 46/7 of October 1991, 46/138 of December 1991, 47/20 A of November 1992 and 47/20 B of April 1993 bear witness to the continuous attention with which the General Assembly has followed the evolution of the situation in Haiti and to the support of the Member States for the efforts of the Haitian people to go back on the road to peace, economic development and respect for its inalienable rights.

The draft resolution introduced today by Latin America and the Caribbean for the Assembly's consideration recalls in its preambular part the efforts made by the international community through this Assembly, the Security Council, the Commission on Human Rights and the Organization of American States, among others, towards a peaceful solution of the tragic situation of the Haitian people. It also expresses deep concern at the multiplication of acts of violence and intimidation and violations of human rights, in particular the assassination of the Minister of Justice, and at the obstacles which continue to oppose United Nations action in that country.

With a view towards arriving at a speedy and definitive settlement of the Haitian crisis, the operative part of the draft resolution, *inter alia*, strongly condemns again the attempt to replace unlawfully President Aristide and the manoeuvres to delay his reinstatement. It supports the process of dialogue carried out under the auspices of the Special Envoy and requests the Secretary-General, acting in consultation with the Secretary-General of the Organization of American States, to do his utmost to bring back the International Civilian Mission to Haiti. Furthermore, it recalls the obligation of all Member States to comply with the measures adopted by the Security Council in its resolutions on this item, encourages them to adopt measures consistent with resolutions of the Organization of American States, and reasserts that the Haitian military authorities are fully responsible for the suffering resulting from their disrespect for their commitments to the Governors Island Agreement. Lastly, the draft resolution affirms support for the constitutional President of Haiti and his cabinet, headed by Prime Minister Malval.

Convinced as we are that the Assembly maintains its firm support for the legitimate Government of Haiti and its solidarity with the Haitian people, we trust that this draft resolution will be adopted by consensus.

Mrs. WERLEIGH (Haiti) *(interpretation from French)*: Once again, the General Assembly is being called upon to consider the unprecedented crisis that has gripped my country for over two years and threatens the very foundations of our society. For the United Nations, which, in accordance with its Charter, is committed to developing respect for the human rights and fundamental freedoms of all, this situation represents one of the greatest challenges it is facing today.

Considerable effort has been made by the international community to help resolve this crisis and restore democracy to Haiti. Acting in cooperation with the Organization of American States, the United Nations launched an initiative which culminated in the Governors Island Agreement of 3 July 1993. The signing of that Agreement, which lays down the modalities and establishes a timetable for the restoration of democracy to Haiti, gave rise, for the Haitian people and the international community alike, to great hopes that this dark and painful page of our history would be turned once and for all. However, the obvious bad faith and calculated intransigence of a small minority, which has resorted to arms and violence to perpetuate an age-old situation of injustice, have blocked the process leading to constitutional order that was to lead to the return of President Aristide to Haiti on 30 October 1993.

Today, we find ourselves back at square one, but the situation is now even harder to control. Indeed, the military perpetrators of the *coup d'état* have taken advantage of the truce accorded them by the Security Council's suspension of sanctions to consolidate their hold on power and tighten their stranglehold on the country. Announcing that the Governors Island Agreement was rendered null and void by President Aristide's inability to return on 30 October, they are increasing the obstacles to a negotiated settlement of the crisis.

The human rights situation has never been more serious, as we are told by the Secretary-General's report on Haiti. Not only have the acts of violence increased, but they are now committed openly -proof that their perpetrators enjoy total impunity. A climate of fear, purposely fed by the *attachés* - police auxiliaries - prevails throughout the country, making any normal life impossible to lead. The Government, whose installation was welcomed by the international community as a crucial step on the path to a return to constitutional order, has never been in a position to take effective control of the State apparatus. Today, Prime Minister Robert Malval is threatening to resign on 15 December if nothing is done by then towards the full implementation of the Governors Island Agreement, which remains the only valid framework for settling the crisis.

Some people believe that the persistence of this crisis challenges this Organization to its very foundations. How can a group of individuals hold an entire people hostage and scornfully defy the international community? The United Nations is facing a problem involving its moral authority and its capacity to enforce respect for its decisions. At issue is the Organization's credibility.

At a time when, owing to preventive diplomacy, the United Nations is becoming increasingly committed to conflict settlement, this snub by the military establishment of Port-au-Prince in refusing to allow the United Nations Mission in Haiti to deploy could have serious consequences for future peace-keeping operations of the United Nations. That is why we believe that effective measures are called for, aimed at enforcing full compliance with the Governors Island Agreement.

In this context, we welcome with interest the French proposal for the convening of a meeting of the Four Friends of the Secretary-General in Paris on 13 and 14 December, with a view to discussing new proposals for ensuring that this agreement is respected. We earnestly encourage all countries concerned to respond positively to this invitation. We hope that this meeting will provide clear-cut and unequivocal provisions showing the determination of the international community to resume the process of returning to the constitutional order.

This message from the international community should be made manifest through the strict and effective implementation of the embargo measures adopted by the Security Council in resolution 841 (1993). For the time being, this is the only weapon available to the international community to compel the putschists to respect the Governors Island Agreement. We have no doubt that a genuine embargo, with reliable monitoring machinery, could yield rapid and concrete results.

The Government is fully aware of the implications of such a measure. However, since the *coup d'état*, the Haitian people, who have seen their dream of democracy and of socio-economic progress grow ever dimmer, have shown their determination to pay whatever it costs to enable Haiti to become again a State based on the rule of law, beginning with the return of President Aristide. They have stated that they are prepared to suffer for democracy as long as the slightest hope remains of regaining their dignity and their freedom.

As I had worked with non-governmental organizations before my appointment as Minister for Foreign Affairs, my experience in the field enables me to state that there can be no comparison between the endless suffering of the people at the hands of the military and their civilian auxiliary and the negative consequences of a temporary embargo if strictly applied.

Some countries have put forward the idea of organizing programmes of emergency humanitarian assistance in order to reduce the effects of the embargo on the most vulnerable sectors of the population. We are very grateful to them. Nevertheless, such an initiative could not be contemplated unless we were absolutely certain that this assistance would not go to strengthen the power of the military and the putschists, and certain that strict mechanisms for distribution and control would ensure that this assistance would go only to the victims of repression.

Democracy and respect for human rights have become increasingly accepted as fundamental principles of our society. The international community has a moral responsibility to help in the promotion of and respect for these principles, which are stated in the Charter of the United Nations and in the Universal Declaration of Human Rights. The situation in Haiti, where violations of human rights persist and where the will of the people is not respected, is, in the context of international relations, a complete anachronism. The peace and social progress to which all peoples aspire cannot be denied the Haitian people by a local oligarchy that has relied on brute force to exploit the country.

Only the return to democracy will allow us to break this vicious circle of violence and of dire poverty which the country has been experiencing since its independence. The Haitian people are counting on international solidarity to help them regain their legitimate right to take their destiny into their own hands.

Mr. CARDENAS (Argentina) *(interpretation from Spanish)*: On this occasion we are discussing the sensitive situation with respect to democracy and human rights in Haiti. My country is deeply concerned at the turn of events in that country in recent times. The more or less promising situation that prevailed there a few weeks ago, after the signing of the Governors Island Agreement, with the awaited return to full constitutional order and the reinstatement of President Jean-Bertrand Aristide, no longer obtains because of the obvious reluctance on the part of the de facto authorities to hand over the power, a power which they continue to hold unlawfully.

Given the daily worsening climate of insecurity and violence in Haiti, the international presence there of the United Nations and of the Organization of American States (OAS) has been reduced to the indispensable minimum. The Haitian people, in the meantime, continue to be exposed to serious and repeated violations of human rights, such as attacks violating the physical integrity and safety of persons, acts of intimidation, arbitrary arrests, unlawful imprisonment and torture.

As is clear from the interim report of the International Civilian Mission (A/48/532 and Add.1), the authorities responsible for the maintenance of public order are not prepared to enforce due respect for the human rights that are guaranteed under the Constitution and the international treaties to which the country is a party. Such a systematic and indiscriminate violation of human rights touches each and every one of the various sectors of Haiti's civilian population.

Given this very somber picture, my country has decided to take an active part, together with other Member States, in verification of the implementation of the sanctions imposed by the Security Council.

Good faith and the honouring of commitments do not obviously appear to be values espoused by those who continue to hold power unlawfully, as has been evident throughout the negotiations headed by the Special Envoy appointed by the Secretary-General of the United Nations and the Secretary-General of the OAS. Negotiations should now be complemented and continued through the necessary patient pressure brought to bear on behalf of the international community as a whole.

My country has tried to be clear whenever it has expressed its views on this question. Today we also attach urgent priority to the return of constitutional order in Haiti. We could not agree to any solution which is not based on that fundamental premise. The Haitian people deserve to be governed legitimately by authorities that come to power through fully free elections, internationally verified by the United Nations and the OAS.

This must all take place in a climate of reconciliation, which is essential, and of reasonable flexibility and, of course, with the armed forces clearly subordinate to the civil power, as the law requires. The Group of Latin American and Caribbean States are therefore strongly in favour of draft resolution A/48/L.35, which was introduced a few minutes ago by the representative of Ecuador.

Mr. HATANO (Japan): The situation in Haiti continues to be a source of profound concern. The optimism we felt with the conclusion of the Governors Island Agreement last July has been all but shattered by the refusal of Haiti's military leaders to honour their

commitment. Indeed, since they signed the Agreement all their actions have been calculated to prevent the constitutional Government from functioning. Japan joins other Member States in strongly condemning the attempts of the military to obstruct efforts to restore democracy in Haiti.

The Security Council has stated on several occasions that the Governors Island Agreement constitutes the only valid framework for resolving the crisis in Haiti, a crisis that threatens peace and security throughout the region. Japan regards implementation of the Agreement, including its provisions calling for the return of the Reverend Jean-Bertrand Aristide, Haiti's legally elected President, as key to the restoration of democracy in Haiti, and thus urges all parties concerned to make sincere efforts to achieve that objective.

It is important for the people of Haiti to know that the international community will never abandon them in their struggle to regain their fundamental rights and democratic freedoms. I call upon the Member States of the United Nations to be unanimous in supporting that struggle.

Japan is encouraged by the unflagging dedication of the Organization of American States and the United Nations to the cause of Haitian democracy. We heartily commend the renewed efforts of Mr. Dante Caputo, which, if successful, will bring us much closer to a resolution of the political crisis in Haiti. Success in Haiti would, in turn, provide a model for future coordinated action by the United Nations and regional organizations.

Let me conclude by paying a high tribute to the Secretary-General and his Special Envoy, and by reaffirming Japan's continued support for their important efforts. Japan is confident that they will ultimately be successful, and that the Haitian people will enjoy the rights and freedoms of a democratic society. Time and justice are both on their side.

Mr. VILCHEZ ASHER (Nicaragua) *(interpretation from Spanish):* We wish to participate in this debate on the crisis in Haiti on behalf also of Guatemala, El Salvador, Honduras and Costa Rica. We have taken part in a number of such debates, in various forums, and we do so now in the hope that this will be the last time the General Assembly has to deal with this serious situation, as we believe that a solution to the crisis being experienced by the Haitian people must be found as a matter of urgency.

In 1990 we were very pleased when the people of our sister Republic of Haiti, which was then joining the growing number of countries embracing democracy, elected the Reverend Jean-Bertrand Aristide as their legitimate President by an overwhelming majority. They did so in an electoral process that was the first of its kind in Haiti's turbulent history, and that was held under United Nations and Organization of American States (OAS) supervision.

We believed then that the decades of dictatorship and nepotism that had kept the Haitian people in destitution and terror were coming to an end. Unfortunately, as we all know, the fledgling Haitian democracy would last only a few months, because a group of military officers brought down President Aristide and his democratic Government by force in a *coup d'état* in September 1991, acting in a way that Latin America and the Caribbean ought to have put behind them by now, a way that ought to be relegated to the past.

Our countries had not a moment's doubt about joining all the other countries of Latin America and the Caribbean, and the rest of the international community, in repudiating and condemning the *coup d'état*. Here before the Assembly we repeat that condemnation once again. It was in the light of those deplorable events, which overturned the will of the Haitian people, expressed at the ballot box, that the United Nations and its Secretary-General agreed, in coordination with the Organization of American States, to take the necessary measures to help achieve the full restoration of democracy and the return of the constitutional President to Haiti.

Our countries, which have succeeded in solving a long period of conflict by negotiation and dialogue, welcome this decision, and support the initiatives of the Organization of American States and the United Nations in respect of Haiti, as we have seen how much can be achieved when the regional organization and the world Organization work closely with each other to find a peaceful solution to this conflict. That is why, ever since the Secretaries-General of the United Nations and the Organization of American States appointed Mr. Dante Caputo, a prominent Argentine politician, to whom we again today express our confidence and once again offer our support, we have supported the actions and negotiations aimed at achieving a political solution in Haiti, culminating in the restoration of the Government of the democratically elected President and thus in the return of the military to their barracks, which they should never have left in the first place.

Our countries, and the international community as a whole, unconditionally supported the sending of the International Civilian Mission to Haiti in January 1993, since when the Mission, through its presence in various parts of the country, fulfilled its mandate of initiating a

process to help alleviate the atmosphere of tension, monitor human rights and enable the restoration of a civilian regime based on the rule of law.

In fact, it was the Mission's reports that led the Special Envoy, the Secretary-General and the Security Council to conclude that economic sanctions must be imposed in order to send those who had breached the constitutional order in Haiti a clear message of the international community's desire that those responsible for the *coup d'état* should lay their personal interests and put the interests of their country first by coming to the negotiating table in order to achieve a rapid return of normality to Haiti.

We welcomed the signing of the Governors Island Agreement, which was approved by both President Aristide and General Cédras himself, and which sets out a process for a comprehensive political settlement to the crisis in Haiti, and the New York Pact, which was signed some time later by representatives of the Haitian Parliament, as first steps in a process bringing hope to the Haitian people, the hope of restoring democracy there. Similarly, the subsequent appointment of the Prime Minister, Mr. Robert Malval, and its ratification by the Haitian Parliament gave grounds for both the Secretary-General and his Special Envoy to recommend to the Security Council that it should suspend the sanctions regime against Haiti.

By suspending the sanctions, the Security Council manifested its desire to provide encouragement to the parties upon their compliance with the demands made in its resolutions, with the understanding that all the parties would continue to comply with the other commitments undertaken.

Unfortunately, we have seen the hopes for an early solution to the critical situation in Haiti fade away, hopes that were shared by the international community and the Haitian people. The events of recent months and the content of the Secretary-General's report reflect a lack of political will on the part of Haiti's military authorities, who have not only violated the agreements and commitments undertaken - in particular, paragraphs 7, 8 and 9 of the Governors Island Agreement, which provide that before President Aristide's return the head of the police and the Commander-in-Chief of the armed forces are to be replaced - but have also blocked the deployment of the United Nations Mission.

Our countries have followed with deep concern the deterioration of the situation in that brotherly Caribbean country where, according to the Secretary-General's report, violations of human rights are widespread and systematic. These violations range from an intensive campaign of intimidation against the media and acts of violence against members of the press to an endless list of arbitrary disappearances, illegal imprisonments, tortures and a great increase in the number of murders and suspicious deaths, among which we wish to mention the murder of Mr. Antonio Gameri, a close associate of President Aristide, and that of Mr. Guy Malary, the Minister of Justice. Most of these violations have gone unpunished and can be attributed directly to members of the armed forces or to groups linked to the armed forces.

The Secretary-General's alarming report now before the Assembly constitutes an urgent call for new measures to be taken in order to send an unmistakable message to the Haitian military leaders who have challenged the authority of the Security Council and of the international community, as represented in the General Assembly.

We cannot allow the current de facto situation in Haiti to persist; nor can we tolerate acts of intimidation against the United Nations Mission, such as those that culminated in the grave occurrences of 11 October, when the United Nations contingent was not allowed to land. We also agree with the Secretary-General that the success of the United Nations Mission in Haiti depends on the total and active cooperation of both parties to the Governors Island Agreement, and we are pleased to know that he is prepared, with the assistance of his Special Representative and at the request of the Security Council, to continue his efforts to effect a change in the attitude of Haiti's de facto authorities and to ensure the implementation of the Governors Island Agreement.

Our countries support without reservation the Security Council decisions recently taken on this matter. In this regard, while we are aware of the effects the economic sanctions have on the Haitian people, we believe that the renewal of those sanctions, however painful, is the only choice left us by the military. The events of 11 October that prevented the deployment of a part of the UNMIH military component, together with the lack of compliance with the Governors Island Agreement and the lamentable situation of human rights violations, led up to the adoption of Security Council resolution 873 (1993), under which the economic sanctions against Haiti were re-established.

In conclusion, the Governments of Guatemala, El Salvador, Honduras, Nicaragua and Costa Rica wish to renew their support for the legitimate Government of Haiti. We have no doubt that the day will come when the democratically elected Government will be restored. The international community should not hesitate at this time to condemn the course of action taken by Haiti's military leaders in defiance of the work undertaken by our

Organization. Our countries reiterate their commitment to the actions carried out in both the Organization of American States (OAS) and the United Nations. We look forward to the day when democracy will be re-established in Haiti, at which time we shall be prepared to support the people and the Government of Haiti in the great task of reconciliation, reconstruction and revitalization of that brotherly country, and we shall celebrate, along with the rest of the countries of the international community, the triumph of democracy over bayonets.

Mrs. JAGAN (Guyana): I have the honour to speak on agenda item 31, "The situation of democracy and human rights in Haiti", on behalf of the 12 States of the Caribbean Community (CARICOM) that are Members of the United Nations: Antigua and Barbuda, Barbados, Belize, Bahamas, Dominica, Grenada, Jamaica, St. Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Trinidad and Tobago and my own country, Guyana. I am also speaking on behalf of Suriname.

We are particularly concerned at the suffering of the Haitian people at the hands of the Haitian military. The dictatorship of the armed forces of Haiti, which is responsible for the systematic violation of human rights in that country, must end. Democracy must not die in the country that blazed the path to freedom as the first free republic in the Caribbean.

In 1991 the world rejoiced when Haitians exercised their franchise after many years of political, economic and social travail. Their aspirations were, however, short-lived; President Jean-Bertrand Aristide was forcibly removed from office on 29 September 1991 by the armed forces of his country. It was a shameful blow against freedom and democracy in the Caribbean.

Since the *coup d'état* took place in Haiti, Caribbean countries have been very outspoken in addressing the issue of the rape of democracy in our sister Caribbean country. We have engaged in diplomatic and political initiatives within the Organization of American States (OAS) and in the United Nations in the hope of amicably redressing that tragic occurrence. It was our fervent hope that those efforts would by now have resulted in the return of the democratically elected government of President Aristide. We are disturbed that this has not yet happened.

Because of our geographical proximity and long historical association, the Caribbean countries and Haiti have traditionally enjoyed close and friendly relations. Haiti has observer status within CARICOM and is involved in many areas of regional cooperation.

Developments in Haiti are therefore of much concern to us, and we are understandably anxious that they should not bring instability into our midst. Since the Caribbean is composed of small and vulnerable States, it is highly susceptible to all forms of external threats.

Numerous reports, including the Secretary General's report (A/48/532 and Add.1 and 2) on Haiti and the report (A/48/561) on the situation of human rights in Haiti, have spoken of wide-scale arbitrary or illegal arrests - always accompanied, reportedly, by torture or other ill treatment - that have continued to be carried out in Haiti. Victims are said to include anyone suspected of supporting President Aristide, those who defend persons critical of the present authorities, students, journalists, human rights advocates, priests, nuns, the rural and urban community leaders and all those involved in opposition activities.

The report states further:

> "Repression in the rural areas and in Port-au-Prince slums remains particularly intense, and even possessing or circulating photographs of President Aristide can be a cause for arrest. According to information received by the United Nations Special Rapporteur, the number of those killed since the September 1991 coup by the Haitian armed forces, including the army, police and their civilian supporters, is believed to be as high as 3,000. As one source stated, it is difficult to assess the actual number of political and extrajudicial killings because the judicial authorities rarely conduct criminal investigations into any unexplained deaths, including violent ones such as murder, whether political or not." *(A/48/561, para. 31)*

> "Security forces continue to extort money from the poorest people, who pay in order to avoid arbitrary arrests, beatings and ill-treatment or to obtain their release from prison. Such extortions have forced some victims to sell all their possessions or surrender the deeds to their land in order to pay their ransom, leaving them even further impoverished." *(A/48/561, para. 32)*

The CARICOM countries are increasingly disturbed by the continued loss of life of patriots who seek to improve the lives of their fellow countrymen. The cold-blooded murder of the Justice Minister, Guy Malary, demonstrates beyond any reasonable doubt that the Haitian military is not entertaining the restoration of democracy at the present time.

Still more violations of the right to life and physical well-being continued in Haiti this year. As the Special

Rapporteur mentioned in document A/48/561, such illegal actions by the Haitian Armed Forces were

> "intended primarily to restrict or prohibit the exercise of the freedom of opinion and expression, assembly and peaceful association. Cases of summary execution, physical violence, persecution and harassment have been brought to the attention of the Special Rapporteur. Persons suspected of supporting President Aristide continue to be particularly targeted, as do members of trade unions, popular organizations, and neighborhood associations, as well simple citizens who had the misfortune to be in the wrong place at the wrong time. Children, women and the elderly have not been immune to the violence." *(A/48/561, para. 33)*

These actions of the Haitian armed forces run counter to the spirit of democracy which is sweeping the region. Of utmost importance in the democratic process is to ensure that the spirit of freedom is kept alive in Haiti.

The Haitian people's brave search for freedom and the necessity to flee from military subjugation meet with dangerous challenges when they escape across the Caribbean sea. The sight of the anguished, many yearning to breathe free, clinging precariously to flimsy vessels in the hope of finding safe haven, cannot fail to sting the conscience of humanity. Yet the Haitian people await the awakening of the conscience of the world to restore their dignity and freedom. Must the international community continue to be hamstrung while all norms of decent international behaviour are flouted by the illegal activities of men in Haitian military uniforms?

When the Governors Island Agreement was signed on 3 July 1993 by Raoul Cédras to permit the return of the lawfully and democratically elected Government of President Aristide, it also allowed for economic sanctions against Haiti to be lifted by the Security Council. That agreement was based on mutual recognition of the office and authority of the two principal figures in the crisis. General Cédras was to have recognized Mr. Aristide as President of the Republic, and he in turn was to have recognized General Cédras as Commander-in-Chief of the Haitian Armed Forces. According to the solemn declaration in the Governor's Island agreement,

> "The President of the Republic and the Commander-in-Chief agree that these arrangements constitute a satisfactory solution to the Haitian crisis and the beginning of a process of national reconciliation. They pledge to cooperate fully in the peaceful transition to a stable and lasting democratic society in which all Haitians will be able to live in a climate of freedom, justice, security and respect for human rights." *(A/47/975, para. 5)*

It is widely acknowledged that the Haitian military authorities have not kept their end of the bargain, even though the United Nations kept its end by lifting sanctions after the installation of Prime Minister Robert Malval.

We therefore have a great task before us - to review what has been done, take stock of successes or failures and plan ahead despite the terrible reality of an illegal military regime transgressing the expressed will of its people, the principles and norms of democracy and the international conscience of humanity.

The CARICOM group of countries welcomed the reimposition of sanctions against Haiti's military dictatorship in a fresh bid to force it into relinquishing power and reinstating the lawfully elected Government of President Jean-Bertrand Aristide. We remain especially concerned, however, about the plight of the impoverished masses of Haitians whose sufferings have multiplied in the present situation. To alleviate their misery, humanitarian assistance must be provided through a mechanism that will ensure better targeting and improved transmission. Such life-supporting aid must be effective in meeting the needs of those for whom it is destined.

The persistence of a despotic ruling clique in Haiti represents a stern test of our collective will at a time when the human condition in all its dimensions is prominent on the global agenda. We must rise to the challenge to ensure that collective decency gains the upper hand for a democratic Haiti. We must redouble our efforts to bring to an end the illegal takeover of the elected Government by military forces which show no respect for the democratically expressed will of the Haitian people.

Can we allow the political will of the Haitians who have been subjected to so much degradation to be so easily dismissed?

The Security Council and the International Civilian Mission have expressed particular concern over the acts of violence carried out by criminal groups acting with impunity and apparently under the cover, or with the expressed or tacit consent, of the de facto authorities in Haiti. The existence of paramilitary groups or bands of delinquents which are tolerated by the Haitian army has also been a cause of great alarm. We must raise our collective voices to condemn such occurrences.

The CARICOM States remain committed to the goal of a democratic and free Haiti with President Aristide as Head of State. In this context, at their meeting in Port-of-

Spain, Trinidad and Tobago, in October 1993, the CARICOM countries issued a call for the full implementation of all relevant United Nations resolutions. We further support the call for the imposition of new and more severe additional sanctions against the Haitian military. These sanctions should be accompanied by effective action to ensure that they are enforced. Such measures, in our view, are consistent with the objective of re-establishing constitutional order and consolidating democracy in Haiti.

Yet we are very bothered by the reports of continued violations of the embargo on Haiti and dismayed that economic sanctions are breached both overland and by sea. The CARICOM States strongly urge the continued strengthening of the sanctions and the instituting of checks and balances to ensure that such violations are discontinued. We strongly exhort the international community to redouble its efforts towards the objectives of removing the illegal military and undemocratic Government in Haiti and to spare no efforts in reinstating President Aristide as the lawful and democratically rightful ruler of his country.

The member States of CARICOM are of the view that the presence in Haiti of the civilian mission and the United Nations Mission are fundamental to progress towards resuming implementation of the Governors Island Agreement. Therefore it is extremely important that the necessary conditions for their deployment be established with the greatest urgency. This we believe is an important step to be undertaken without delay.

We have entered a new and difficult phase in the restoration of democracy in Haiti. The United Nations is again faced with a tremendous challenge in the exercise of its mandate to maintain international peace and security. The countries of CARICOM therefore exhort the international community, acting through the United Nations, to redouble its efforts to achieve the full implementation of the Governors Island Agreement and the relevant Security Council resolutions. The countries of CARICOM will continue to give their wholehearted support to this effort and will assist in whatever way possible to ensure the return to Haiti of its democratically elected Government.

The United Nations and the international community cannot afford to fail in this effort to assist an embattled and courageous people to break the stranglehold of oppression and degradation and to rise up in freedom and dignity within the democratic process. In this matter, action by the United Nations, in collaboration with the Organization of American States, is imperative: the future of a people and a nation is at stake, as well as the credibility of this Organization and its collective-security mechanisms.

It is not too late for the United Nations to act - and it absolutely must do so to ensure that Haiti's yesterdays do not become all its tomorrows. We urge the adoption of this draft resolution.

Mr. SALANDER (Sweden): I have the honour to speak on behalf of the five Nordic countries: Denmark, Finland, Iceland, Norway and my own country, Sweden.

What is happening in Haiti is deeply depressing. The will of the Haitian people was crushed in the coup two years ago when the democratically elected President, Jean-Bertrand Aristide, was ousted. Since then, continuous but fruitless efforts have been made by the international community to restore the legitimate Government.

The Nordic countries commends the endeavours of the United Nations and the Organization of American States to find a solution to the crisis in Haiti. The Special Representative of the Secretary-General, Mr. Dante Caputo, has our full support.

When the Governors Island Agreement was signed a few months ago, our hope was rekindled that democracy and respect for human rights would soon return to Haiti. The Agreement was to pave the way for the return of President Aristide and the reinstatement of the constitutional order. Technical assistance and international cooperation would be forthcoming, not least through the United Nations Mission to Haiti (UNMIH), in charge of assisting in the necessary modernization of the armed forces and the creation of a new civilian police.

The international community showed its good will by suspending the sanctions in order to help foster a political climate favouring negotiations and reconciliation.

The response of the military leaders in Port-au-Prince was to disregard the Governors Island Agreement and openly confront the international community. The Nordic countries condemn the unwillingness of the military leaders in Haiti to comply with their commitments. We strongly urge them to reconsider their attitude and take concrete steps to implement their obligations under the Governors Island Agreement.

A full United Nations presence must be re-established in Haiti as soon as possible and the necessary conditions must be created for the UNMIH to fulfil its mandate.

The intransigence of the military leaders in Haiti gave the Security Council no other option than to reimpose the

sanctions against the country. The Nordic countries support this decision and regret that the military leaders did not take advantage of the extra time offered to show their readiness to comply with all aspects of the Governors Island Agreement.

It is the firm view of the Nordic countries that if the sanctions are to be effective, all Member States of the United Nations must respect and implement the decision of the Security Council.

We are concerned by the plight of the Haitian people and agree with the Security Council's reaffirmation that the military authorities are fully responsible for their suffering. The violations of human rights in Haiti continue and are of grave concern to the Nordic countries. The number of disappearances, assassinations, cases of torture, and arbitrary arrests has increased. The violations are committed by military and police personnel as well as by the so-called attachés - civilians connected to the security forces. These violations must cease immediately, and those found guilty of them must be brought to justice. The Nordic countries condemn the recent assassination of the Minister of Justice of Haiti. It is imperative that this incident be investigated promptly and that appropriate action be taken against those responsible.

Once the constitutional order is reinstated in Haiti, conditions will be at hand for increased international cooperation and technical assistance. Democracy and respect for the will of the people will be the key to economic and social development. In a democratic Haiti, reintegrated into the family of nations, it will be possible to address vigorously the underdevelopment and the social and economic injustices that are the root causes of the problems of that unfortunate country.

The Nordic countries will continue to follow the situation in Haiti closely. The Governors Island Agreement lays a good foundation for peaceful and democratic development in that country. It is our sincere hope that the military leaders will finally show the necessary political will to comply with the Agreement. This will, above all, be of benefit to the suffering people of Haiti.

Mrs. FRECHETTE (Canada) (*interpretation from French*): On 30 September 1991, Haiti's democratically elected President, the Reverend Jean-Bertrand Aristide, was overthrown during an attempt to trample the democratic will of the Haitian people. Since then, Haiti has endured a long and painful nightmare of repression and brutality. Canada cannot but express its outrage at this. We reaffirm our unequivocal commitment to the restoration of democracy in Haiti. As one of the Four Friends of the Secretary-General on Haiti, Canada reiterates its full support for the United Nations efforts to resolve the Haitian crisis. Canada is determined to see Haiti take its place again in the community of democratic countries.

In June this year an Agreement aimed at restoring democracy in Haiti was reached at Governors Island between all parties. In August President Aristide appointed a new Prime Minister, Mr. Robert Malval, and a new Cabinet, in accordance with that Agreement. This allowed the United Nations to suspend the sanctions it had imposed, and enabled the Organization of American States to take similar steps to lift its economic measures. We all hoped that democracy would soon be restored in Haiti.

However, it rapidly became clear that the Haitian military authorities had no intention of respecting the commitments they had undertaken at Governors Island. They thwarted efforts to establish the United Nations Mission in Haiti. Their actions made it impossible for the Haitian Parliament to enact legislation creating a new police force. They prevented the return of President Aristide on 30 October 1993. Intimidation and violence against those who support democracy increased. At every step the de facto authorities obstructed the implementation of the Agreement in a cynical and brutal attempt to hang onto power - this despite the dedicated efforts of Mr. Dante Caputo, the Special Envoy of the Secretaries-General of the United Nations and the Organization of American States (OAS), to whom today we renew our full support.

Faced with this situation the international community had no choice but to reimpose sanctions to compel those who have blocked the return of constitutional order in Haiti to abide by their commitments. Our message is clear: The Governors Island Agreement was and is the only acceptable way to ensure the return of President Aristide and to restore democracy in Haiti. We fully intend to see the completion of the process begun at Governors Island.

Canada has been doing all in its power to give effect to United Nations and OAS actions in support of the Agreement. Those who continue to usurp power must know that the international community is united in its refusal to allow tyranny to prevail. We will maintain the embargo and will strengthen it if necessary. We have contributed Canadian vessels to enforce United Nations sanctions. While allowing exceptions by President Aristide and Prime Minister Malval, we have frozen the assets of the Haitian State. We are doing the same for some supporters of the regime to signal to them that the international community will not countenance their actions nor will they enjoy impunity indefinitely.

Canada also fully supports the United Nations Mission in Haiti. That Mission, provided for in the Governors Island Agreement, is aimed at assisting Haitians to build for themselves the institutions that will support democracy. When conditions permit, Canada will redeploy under the mandate of the United Nations the Royal Canadian Mounted Police officers on their peaceful mission as observers and trainers, and we will honour our commitments to participate in the military cooperation component.

Canada is very concerned about the suffering inflicted on the Haitian people by the intransigence of the Haitian military authorities. It is their failure to fulfil their commitments that is solely responsible for the plight of the Haitian population. Canada has provided $30 million in humanitarian assistance since the 1991 *coup d'état* to help meet the needs of the most vulnerable sectors of the population. Canada is prepared to increase its humanitarian aid and to participate in United Nations efforts to ensure that such aid indeed reaches its intended recipients.

The attempt by Haiti's de facto authorities to destroy the country's fledgling democracy has had another tragic consequence. The human-rights situation in Haiti is nothing short of appalling. The latest report of the joint United Nations-OAS Civilian Mission, whose early return to Haiti Canada strongly endorses, makes crystal clear the repression and brutality by the Haitian military authorities and their responsibility for the massive violations of human rights in Haiti.

Television images of the past few weeks have only too vividly reinforced the Mission's observations. On 11 September we were all witness to the calculated murder of Mr. Antoine Izméry. One month later we were again horrified by the cold-blooded assassination of Mr. Guy Malary, Haiti's Justice Minister.

These assassinations, designed to intimidate Haitians who believe in democracy, symbolize the terror and violence that is an all-too-real part of daily life. Scores of innocent Haitians have been murdered or tortured in Port-au-Prince and in the countryside, wherever there is the least sign of resistance to the de facto regime. A number of young Haitians have lost their lives for putting up posters of their exiled President. No investigations - let alone prosecutions - are being conducted into these crimes.

The treatment of Haitian journalists is particularly deplorable. They risk their lives daily, suffer arrest and torture, simply for attempting to report news of this repression. Through persistent and often violent harassment, democratically elected parliamentarians are prevented from exercising their duties. Despite its tremendous courage, even the legitimate Government of Prime Minister Malval has been unable to carry out its functions. Sadly, the list of abuses is long and shows clearly that in the absence of democracy Haitians are deprived of the most fundamental freedoms and human rights.

(spoke in English)

Canada supports the draft resolution on democracy and human rights in Haiti. The Haitian military authorities must understand that the international community strongly condemns the systematic violation of the most fundamental rights of the Haitian people. They must understand that the international community will not allow the Haitian people to suffer from their intransigence. Finally, they must understand once and for all that they will not succeed in defying the collective will of the Haitian people and of the international community. We are united in our determination to restore legitimate authority to Haiti and to ensure it joins the circle of democratic nations.

Mr. NOTERDAEME (Belgium) *(interpretation from French)*: I have the honour to speak on behalf of the European Union.

The debate on the situation of democracy and human rights in Haiti began with the submission of a draft resolution that we had not seen prior to today. In those circumstances the European Union wishes to note that its statement in the debate in no way prejudges its position with regard to the draft resolution.

Almost two years since the brutal breakdown of constitutional order in Haiti the signature of the Governors Island Agreement on 3 July this year and of the New York Pact on 17 July gave rise to a glimmer of hope for the restoration of democracy in that country. That process would have culminated with the return of President Aristide on 30 October. Unfortunately, notwithstanding the tireless efforts of Mr. Caputo, the Special Envoy of the Secretaries-General of the United Nations and the Organization of American States (OAS), President Aristide's exile continues, thus making even more remote prospects for the restoration of democracy in that country.

Following the *coup d'état* in September 1991, which it condemned unreservedly, the international community has spared no efforts to assist the Haitian people in restoring democracy. The General Assembly, in resolution 47/20 B of 20 April 1993, authorized the deployment of the International Civilian Mission to Haiti, in which personnel from the OAS also participated. The initial task of the International Civilian Mission was to verify

compliance with human-rights obligations and assist in the establishment of a climate propitious to the re-establishment of democracy in Haiti.

As provided in paragraph 5 of the Governors Island Agreement, the Security Council, in resolution 867 (1993), decided to establish and dispatch to Haiti a United Nations Mission comprised of United Nations police monitors and military trainers to assist in modernizing Haiti's armed forces and in establishing a new police force.

The decisions of the General Assembly and Security Council have thus clearly demonstrated the international community's determination to assist the Haitian people to restore democracy and strengthen its base.

The European Union welcomed the signing of the Governors Island Agreement, which it fully supported. After the ratification of the appointment of Mr. Malval to the post of Prime Minister, and the suspension by Security Council resolution 861 (1993) of the sanctions regime against Haiti, the European Union suspended those steps it had taken pursuant to Security Council resolution 841 (1993) and announced that it would resume its cooperation with Haiti.

With the approach of the deadline for the return of President Aristide, as provided for under the Governors Island Agreement, violence unfortunately took hold of the country and the de facto authorities did not try to stem it. In condoning insecurity the de facto authorities have not abided by the commitments they entered into by signing the Governors Island Agreement. The worsening insecurity prevented the return of President Aristide and forced the United Nations and the OAS to withdraw the staff of the International Civilian Mission, ruining the efforts made thus far to establish a climate of confidence within the Haitian population. Finally, hostile demonstrations prevented the deployment of the United Nations Mission to Haiti, the objective of which was to back up the restoration of constitutional order. The European Union therefore reiterates its desire to see these missions once again in a position fully to carry out their mandate which was interrupted by the upsurge of violence in Haiti.

The European Union today reiterates its condemnation of the resurgence of violence, the sad symbol of which was the assassination of Mr. Malary, Minister of Justice in the Government of Mr. Malval. The restoration of the sanctions regime and the prospect of its intensification have shown that the de facto authorities have nothing to gain by postponing the complete restoration of democracy in Haiti.

In conclusion, the European Union recalls once again the need to abide by the commitments of the Governors Island Agreement and reiterates its support for the legitimate Government of Mr. Malval, and for the efforts undertaken by Mr. Caputo, Special Envoy of the Secretaries-General of the United Nations and the OAS.

Mr. AROSEMENA A. (Panama) *(interpretation from Spanish)*: Although the Republic of Panama fully associates itself with the statement made on behalf of the Central American countries by Ambassador Vilchez of Nicaragua, our special historical relationship with the Republic of Haiti has led us to ask the indulgence of the Assembly to make an individual statement.

Panama has viewed with concern the deterioration of the situation in Haiti ever since the *coup d'état* which overthrew the constitutional President, Jean-Bertrand Aristide.

The serious violations of human rights in Haiti, including arbitrary arrest, torture, summary executions and disregard for fundamental freedoms, are commonplace today in the daily lives of the long-suffering Haitian people. It was thought for a moment that the Agreement signed on Governors Island could bring an end to the anomalous situation in that brother country since it pointed to a promising outcome.

Nevertheless, the non-compliance by the military authorities with the Governors Island Agreement and the attempt illegally to replace the Government of President Jean-Bertrand Aristide is a challenge to the international community, since it violates commitments made. The Haitian military have shown their utter disregard for the world order and their lack of interest in belonging to the community of nations, not only by obstructing the country's democratization process, but also by causing even greater suffering for its people.

Panama knows, because it has lived through it, the tragedy being endured by the fraternal people of Haiti. Our own experience with military rule makes us see a parallel in the Haitian situation. Panama suffered under a military government which, like that of Haiti, without legal or moral principles to guide it, disregarded established constitutional and legal order and committed violations at will. It put its followers and supporters in power in the three branches of government, the executive, legislative and judicial, thus guaranteeing that it would remain in power.

It was a military government which, like that of Haiti, had no respect for human life and fundamental freedoms and perpetrated against its people all kinds of crimes,

abuses and violations; a military government which, like that of Haiti, resorted to terror and repression to stay in power; a military government which, like that of Haiti, had no scruples about destroying the country economically and socially, causing all kinds of damage and thus showing total disregard for the suffering of the people; a military government which, like that of Haiti, manoeuvred and invoked technicalities to renege on agreements, thus obstructing all attempts at democratization. In short, it was a military government which, like that of Haiti, had as its only political belief the cynical dictum that the primary duty of every government is not to fall.

Fortunately, today in Panama we have restored a constitutional, moral and legal order. The Panamanian people, which lives under the rule of law, is preparing to renew its Government through free elections, whose fairness is guaranteed. Panama is well aware of the persistence and stubbornness of the military in not accepting any compromise. It therefore believes that only a non-military government can guarantee the development of democracy.

We cannot abandon Haiti to its fate. Not to resolve the situation in Haiti is to encourage the military, wherever they may be, to violate the constitutional order. The efforts of the United Nations have not been sufficient. The wise actions and obvious good will of the Special Envoy of the United Nations and the Organization of American States (OAS), Mr. Dante Caputo, have not elicited from those who hold power in Port-au-Prince the reply that the international community eagerly awaits. We are complying with the embargo, but we hope that in the next few weeks there will be other initiatives to bring about a favourable solution to the problem of Haiti.

Therefore, in our view, the General Assembly should strongly express the need to achieve the prompt restoration of the democratic Government of President Jean-Bertrand Aristide, in accordance with the Governors Island Agreement, and reject any attempt unlawfully to replace the constitutional President of Haiti. It should do so in order to send a clear message to the military, in Haiti and in other countries, that they must understand that they cannot remain in power through illegality and lies, and that their future lies in a return to the noblest principles of the military profession, as defenders of their peoples and guarantors of social peace. Our founding fathers expressed it in these words:

> "Weapons brought us freedom, but only laws can bring us peace and progress."

Mr. SARDENBERG (Brazil) *(interpretation from Spanish)*: More than two years ago the international community condemned in the strongest possible terms the *coup d'état* against the legitimate Government of President Jean-Bertrand Aristide. The United Nations and the regional organization - the Organization of American States (OAS) - have acted with firmness in seeking to restore the democratic regime and bring stability to the fraternal people of Haiti, which is a member of the Latin American and Caribbean Group of States.

Two years later, there has been no diminution in the Brazilian Government's interest in the Haitian cause. Our region believes that the overthrow of a President elected by his people is unacceptable. Today, as before, Brazil is prepared to cooperate with the international community in finding a peaceful solution that will ensure the return of President Aristide to the presidency of Haiti.

Brazil expresses deep regret at the repeated incidents of violence, which present a sombre picture - though, we hope, not an irreversible one - of lost opportunities for democracy in Haiti.

In Latin America there is no room for regimes of force. Obstacles notwithstanding, the aspirations of peoples are clearly directed towards strengthening democratic institutions in our region. The Organization of American States has played an important role in that respect and has adopted significant measures to promote and defend democratic regimes in the hemisphere.

In the specific case of Haiti, we must not forget that the measures taken by the United Nations originated in the regional organization and in its decisions on the establishment of mechanisms to protect democracy and legal order. The adoption of resolution CP/RES 567 by the Permanent Council of OAS, on the very day of the constitutional fracture, and the subsequent resolutions of the ad hoc meeting of Ministers for Foreign Affairs were clear proof of the commitment of the regional organization to full support for the restoration of the legitimate authorities in Port-au-Prince.

In our view, the cooperation and coordination in this field between the United Nations and the regional organization must continue, in compliance with the respective mandates and Charters of the two bodies, with a view to strengthening the international community's support for the restoration of democracy in Haiti.

A few days after the *coup d'état* in Haiti, the United Nations General Assembly, by resolution 46/7 of 11 October 1991, condemned unreservedly the interruption of the democratic process in that country. In its resolutions 47/20 A and 47/20 B it reaffirmed that any entity resulting

from the current illegal situation in Haiti would be unacceptable.

Given the continued deterioration of the situation in Haiti and the rejection by the de facto authorities of the provisions of OAS and General Assembly resolutions, the Security Council, by resolution 841 (1993), adopted exceptional measures to implement economic and trade sanctions against the illegitimate authorities in Haiti. The unique character of the situation in the country was demonstrated in particular by the request of the Government of President Aristide that the Security Council make universal and mandatory the measures recommended by the OAS.

In like manner, the Governors Island Agreement and the New York Pact gave us renewed hope for the future of the people of Haiti. Unfortunately, the process was interrupted by the military authorities in Port-au-Prince, who, through acts of violence and intimidation, continue to obstruct the efforts of the Special Envoy of the Secretary-General of the United Nations and the Secretary-General of OAS, Mr. Dante Caputo.

In these circumstances, the sanctions that had been applied by the Security Council were extended through its resolution 875 (1993). As we stated when that resolution was adopted, the measures that were authorized were unique and exceptional in nature and should not set a precedent for the work of the United Nations.

On this occasion we reaffirm Brazil's full commitment to a diplomatic tradition based on an abiding concern to see disputes settled peacefully.

The recent acts of violence call for firm condemnation by the international community. The deeds of armed civilian groups, with the consent of the de facto authorities, indicate that they persist in their intention to prevent full compliance with the Governors Island Agreement, to violate human rights and fundamental freedoms, and to prolong the suffering of the Haitian people. In that regard, the assassination - with total impunity - of the Minister of Justice, Mr. François-Guy Malary, was a sad chapter in today's climate of terror and violence in Haiti.

The General Assembly, as the organ of the United Nations in which all Members are represented, has an important role to play in dealing with the situation in Haiti. Security Council action on this matter is even stronger if it has the support and firm backing of all the Members of the United Nations.

Despite all the efforts that have been made, a final solution to the crisis has not yet been implemented. Two years' violence and terror by the de facto authorities have interrupted a nascent democratic process, which promised a new era in the history of Haiti - an era of economic development and social justice, based on an open society.

The force of arms cannot prevail over the wishes of a people. The Government of Brazil trusts that, through peaceful and diplomatic means, the situation may be reversed and democracy restored in the country. The people of Haiti deserves no less.

Mr. TAYLHARDAT (Venezuela) *(interpretation from Spanish)*: Since this Assembly adopted resolution 47/20 A on 24 November 1992 and resolution 47/20 B on 20 April 1993 the situation of democracy and human rights in Haiti has been getting progressively worse. There was a brief glimmer of hope with the deployment of the International Civilian Mission to Haiti (MICIVIH) and the signing of the Governors Island Agreement, but these turned out to be transient events. As is evidenced in the Secretary-General's report, violations of human rights continue in the form of systematic acts of political intimidation.

The Security Council, which supported the Agreement and authorized the deployment of the United Nations Mission in Haiti (UNMIH), was forced to reimpose sanctions when it became obvious that the Agreement was not being observed. The International Civilian Mission and the United Nations Mission in Haiti both had to withdraw. In few situations has there been such violent and brazen disregard for the authority of the United Nations, or such an insolent challenge to the will of the international community.

Attempts to achieve the objectives of restoring the democratic process in Haiti, creating conditions under which the constitutionally elected President can resume his duties, and safeguarding the human rights of the Haitian people have been frustrated by the stubborn determination of the Haitian military authorities to remain in power.

Along with Canada, France and the United States, Venezuela has sought to work towards a political solution of the crisis, a solution negotiated and promoted by the Special Envoy of the Secretary-General of the United Nations and the Secretary-General of the Organization of American States (OAS), Mr. Dante Caputo. Neither Mr. Caputo's efforts, nor those of the Four Friends of the Secretary-General, nor those of the Security Council have been able to bring about respect for the democratic will of the Haitian people or to protect the lives of many Haitians. Strict monitoring of the sanctions, and the sanctions themselves, continue to be scorned and mocked by Haiti's

military and police authorities. Nor have they heeded the appeal for national reconciliation and peace addressed to them from this rostrum on 28 October by President Jean-Bertrand Aristide. The many statements and appeals issued throughout the Americas too have been unable to move an unscrupulous minority determined not to restore its country's dignity.

But we cannot cease our efforts. We cannot abandon our sister nation to its fate when its right to political freedom and social and economic progress are being denied in a crude, systematic and dishonourable way. We continue to insist on respect for the commitments entered into on Governors Island. We shall continue to believe that reason and a modicum of responsibility will prevail, and that the perseverance of the international community will make that minority group and its representatives in the Haitian armed forces consider the consequences of their absurd intransigence.

In these circumstances, it is important that the international community make its will felt. It is important that Haitian democrats, who, whether in exile or in their country's resistance, live in hope for a better future for their country, know that we are aware of their sacrifices and that those sacrifices will not be in vain. Today, more than ever before, we must stand together in our endeavours to restore the democratic process in Haiti.

That is the message of the draft resolution before the Assembly, which recalls that the international community's aim remains the prompt re-establishment of democracy in Haiti and the return of President Aristide, the complete restoration of human rights and fundamental freedoms, and the promotion of economic and social development in that long-suffering country.

We are confident that the General Assembly will adopt the draft resolution unanimously and thereby let those who have usurped power in Haiti know that the international community holds them responsible for the suffering of the Haitian people, especially that of its weakest and most vulnerable groups, when they refuse to live up to the commitments they entered into in the Governors Island Agreement.

Mr. MONGBE (Benin) *(interpretation from French)*: The restoration of the democratic process in Haiti, which was interrupted by the military *coup d'état* of September 1991, is among the priorities of the Government and the people of the Republic of Benin. Hence, my delegation welcomes the Assembly's consideration of this important agenda item, item 31 on the situation of democracy and human rights in Haiti. The delegation of Benin is proud to be among those who have decided to speak on this item; we are grateful to the Secretary-General for the germane reports he has submitted.

Some may wonder why a small African country would be interested in the political situation in so distant a country as Haiti. And it is certainly true that Benin, whose political, economic, strategic and military dimensions are tiny, would seem to have little to do with what is going on in Haiti. In fact, my delegation is concerned by the tragedy in that island of the American continent because of two factors: one historical and sentimental, the other political.

Any historian - and indeed any tourist who arrives in Haiti with a knowledge of Benin, which was once known as Dahomey - can easily find numerous points of cultural similarity that signal the fact that a large proportion of the Haitian population has roots in the country of origin of Toussaint L'Ouverture. How, then, given those historical and sentimental facts, could the people of Benin remain indifferent to the suffering, the atrocities and the traumas of all kinds suffered by their brethren, the people of Haiti?

On the political level, my delegation believes that after a long, tormented, tortured history, the Haitian people has rediscovered the virtues of democracy and of a State based on the rule of law. That is why it freely participated in the 1990 elections, choosing a President by universal suffrage, following the organization of a vote that could not have been more transparent - a vote sponsored and monitored carefully by the United Nations.

It is easy to understand that the people of Benin, which is now actually experiencing the democratic process, is entitled to be concerned over the stifling of Haitian democracy by a group of power-hungry men.

My delegation joins the delegations of States members of the Organization of American States and other delegations that cherish peace and social justice and seek the restoration of constitutional order in Haiti in saying "no" to armed power-grabbing, "no" to dictatorship and "no" to human-rights violations.

The signing of the long-awaited Governors Island Agreement on 3 July 1993 by the two major protagonists in the crisis - President Jean-Bertrand Aristide and the Commander-in-Chief of the armed forces, General Raoul Cédras - made us hopeful that there would be a peaceful end to this serious situation in a country that needs stability, security, a climate of freedom and justice, and respect for human rights if it is to rebuild its economy and achieve social development. We pay a tribute to the Special Envoy of the United Nations and the OAS,

Mr. Dante Caputo, who has manifested all the qualities needed for that purpose.

Unfortunately, we are obliged to deplore the obstacles that have been raised in the way of the Governors Island Agreement of 3 July 1993 and the New York Pact of 16 July 1993, which committed the signatories - the presidential commission and the Haitian political forces - to a political cooling-off period of six months intended to ensure a stable and peaceful transitional period.

In fact, the return of the President-in-exile, Father Aristide, did not take place on 30 October, as envisaged in the Governors Island Agreement. On the contrary, the situation deteriorated into one of political violence and the systematic and widespread violation of human rights perpetrated, with the complicity of the regular army, by groups of armed civilians fiercely opposed to the return of President Aristide, whose supporters and close associates, including a member of the transitional Government set up after 3 July, continue to pay with their lives. This group was even able to hinder the deployment of the United Nations Mission in Haiti. The mandate of that international Mission includes in particular the modernization of the army, whose influence must be neutralized because it is undermining the development of the democratic process.

The insecurity is such that it became necessary to withdraw the team of observers of the International Civilian Mission to Haiti, whose objective is to persuade all parties concerned that this political crisis will be settled only by the elimination of all forms of violence and violations of human rights. We must admire the courage and determination of the staff of that Mission, which has always worked in extremely difficult conditions.

This escalation of violence clearly reflects the lack of political will of the military and its allies fully to implement the Governors Island Agreement. They intend to cling to their privileges, against the interests of the majority of the Haitian people. The international community cannot tolerate this serious rejection of commitments undertaken, especially since the restoration of the democratic process will make it possible to end the suffering of a people, and since that suffering could threaten peace and security in the region.

That is why my delegation and the international community must lend all their support to any effective measures to persuade the Haitian military hierarchy and its allies finally to recognize that their adventurism has no future. The adoption by consensus of draft resolution A/48/L.35 at the end of our debate will be an important step in that direction. The Haitian military must halt its obstruction of President Aristide's return. It must abide by this irreversible choice of the Haitian people, who love their President. That love will be of great assistance to him when, upon his return, he embarks on national reconciliation and reconstruction, with our support, with a view to finding a lasting solution to the Haitian crisis, on the understanding - and I must stress this - that all acts of vengeance must be avoided.

The PRESIDENT: I should like to inform members that the Assembly will take action on draft resolution A/48/L.35 on Monday, 6 December, in the morning, as the first item.

AGENDA ITEM 33 (continued)

QUESTION OF EQUITABLE REPRESENTATION ON AND INCREASE IN THE MEMBERSHIP OF THE SECURITY COUNCIL

(a) REPORT OF THE SECRETARY-GENERAL (A/48/264 and Add.1, Add.2 and Add.2/Corr.1, Add.3-5)

(b) DRAFT RESOLUTION (A/48/L.28)

(c) REPORT OF THE FIFTH COMMITTEE (A/48/710)

The PRESIDENT: Members will recall that the Assembly concluded its debate on agenda item 33 at its 64th meeting, held on 24 November. To assist the General Assembly in its work on this important item, I have, as President and after very extensive consultations, submitted the draft resolution which is before the Assembly. Before the Assembly takes action on this draft resolution, contained in document A/48/L.28, to establish an open-ended working group, I wish to make the following statement regarding the working group.

On the basis of informal consultations that I have undertaken with delegations on this agenda item, it is my understanding that in discharging its mandate the open-ended working group will discuss, *inter alia*, the issues set forth in the report of the Secretary-General in document A/48/264 and its addenda, containing the views of a number of Member States, and also the views expressed by Member States during the general debate of the forty-eighth session of the General Assembly as well as in the debate on this agenda item.

The Assembly will now take a decision on draft resolution A/48/L.28. The report of the Fifth Committee on the programme budget implications of the draft resolution is contained in document A/48/710.

May I take it that the Assembly decides to adopt draft resolution A/48/L.28 by consensus?

Draft resolution A/48/L.28 was adopted **(resolution 48/26).**

The PRESIDENT: Now that the Assembly has adopted the resolution, I take the opportunity to express my sincere appreciation to the Ambassadors of Singapore and India for undertaking on my behalf the very extensive consultations necessary to obtain a consensus text of the resolution. I am extremely indebted to them and to a number of delegations for their advice and assistance to me during these consultations.

Turning to the next step, I wish to advise the Assembly that it is my intention to convene the first meeting of the Working Group towards the end of January 1994. While I propose to preside over meetings of the Working Group myself, it may be necessary from time to time to appoint sub-groups to examine and report back to the main Working Group with recommendations on specific aspects of the matter with which the Group is charged. In such cases, I shall, after necessary consultation, appoint one or another of its members to preside over the sub-group or sub-groups, as relevant.

It only remains for me to say that I have been particularly heartened by the degree of cooperation shown by all members of the Assembly in the discussions on this item. I look forward to receiving the same measure of support when the Working Group begins its work in the intersessional period.

We have thus concluded this stage of our consideration of agenda item 33.

The meeting rose at 1 p.m.